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8-26-03

15/NOTICE  
of  
Appeal

Attorney Docket No. ABBE-1

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of : Nancy A. Abbe  
Application No. : 09/844,627 Confirmation No.: 2399  
Orig. Filing Date : April 27, 2001  
RCE Filing Date : November 15, 2002  
For : APPARATUS FOR STORING FOOD  
Group Art Unit : 3727  
Examiner : Stephen Castellano

New York, New York 10020  
August 13, 2003

Mail Stop AF  
Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed June 5, 2003 in which the rejection of claims 1-9, 13-17, 19-20, 24 and 26 was made final.

08/19/2003 AWONDAF1 00000011 09844627

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160.00 OP

- ☐ Applicants respectfully request an oral hearing before the Board of Patent Appeals and Interferences. The appropriate fee is submitted herewith.
- ☐ The appropriate fee for a \_\_\_\_\_-month extension of time to respond to the final rejection was timely paid on \_\_\_\_\_.
- ☐ An additional \_\_\_\_\_-month extension of time to respond to the rejection is requested and the appropriate extension fee is submitted herewith.
- ☒ Address all correspondence to:

George L. Kanabe  
Fish & Neave  
1251 Avenue of the Americas  
New York, New York 10020-1104

- ☒ A check in the amount of ☒ \$160.00 ☐ \$320.00 in payment of the ☒ appeal fee pursuant to 37 C.F.R. § 1.17(b); ☐ appeal and oral hearing fees pursuant to 37 C.F.R. § 1.17(b) and § 1.17(d) is enclosed.
- ☒ The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.
- ☐ Please charge ☐ \$160.00 ☐ \$320.00 to Deposit Account No. 06-1075 in payment of the ☐ appeal fee; ☐ appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

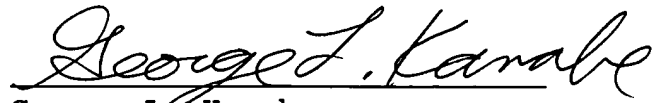
- ☐ The following extension fee is applicable to the Notice of Appeal filed herewith: ☐ \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$205.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$465.00 extension fee for response within third

month pursuant to 37 C.F.R. § 1.136(a); ☐ \$725.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$985.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$\_\_\_\_\_ for additional extension fee beyond that previously paid.

☐ A check in the amount of ☐ \$55.00 ☐ \$205.00 ☐ \$465.00 ☐ \$725.00 ☐ \$985.00 ☐ \$\_\_\_\_\_ in payment of the extension fee is enclosed.

☒ The Director is hereby authorized to charge payment of any additional extension fees required under 37 C.F.R. § 1.17, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

☐ Please charge the ☐ \$55.00 ☐ \$205.00 ☐ \$465.00 ☐ \$725.00 ☐ \$985.00 ☐ \$\_\_\_\_\_ extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.



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8-18-3

AF/3727

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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EXPRESS MAIL CERTIFICATION

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Date of Deposit: August 13, 2003

I hereby certify that this certification and the following papers and fees:

1. Notice of Appeal (in duplicate);
2. Check in the amount of \$160.00; and
3. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop AF, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Name: Claudio J. Samuel van Goodman

Claudio J. Samuel van Goodman